

106TH CONGRESS
1ST SESSION

H. R. 3423

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 17, 1999

Mr. YOUNG of Florida introduced the following bill; which was referred to the Committee on Appropriations

A BILL

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Department of the Interior and related agencies for the
6 fiscal year ending September 30, 2000, and for other pur-
7 poses, namely:

From any unobligated balances available at the start of fiscal year 2000, the amount of \$5,000,000 shall be allocated to the Alaska Region, in addition to the funds appropriated to sell timber in the Alaska Region under this Act, for expenses directly related to preparing sufficient additional timber for sale in the Alaska Region to establish a 3-year timber supply.

The Forest Service is authorized through the Forest Service existing budget to reimburse Harry Frey, \$143,406 (1997 dollars) because his home was destroyed by arson on June 21, 1990 in retaliation for his work with the Forest Service.

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

(DEFERRAL)

Of the funds made available under this heading for obligation in prior years, \$156,000,000 shall not be available until October 1, 2000: *Provided*, That funds made available in previous appropriations Acts shall be available for any ongoing project regardless of the separate request for proposal under which the project was selected.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out fossil energy research and development activities, under the authority

1 of the Department of Energy Organization Act (Public
2 Law 95–91), including the acquisition of interest, includ-
3 ing defeasible and equitable interests in any real property
4 or any facility or for plant or facility acquisition or expan-
5 sion, and for conducting inquiries, technological investiga-
6 tions and research concerning the extraction, processing,
7 use, and disposal of mineral substances without objection-
8 able social and environmental costs (30 U.S.C. 3, 1602,
9 and 1603), performed under the minerals and materials
10 science programs at the Albany Research Center in Or-
11 egon, \$419,025,000, to remain available until expended,
12 of which \$24,000,000 shall be derived by transfer from
13 unobligated balances in the Biomass Energy Development
14 account: *Provided*, That no part of the sum herein made
15 available shall be used for the field testing of nuclear ex-
16 plosives in the recovery of oil and gas.

17 ALTERNATIVE FUELS PRODUCTION

18 (INCLUDING TRANSFER OF FUNDS)

19 Moneys received as investment income on the prin-
20 cipal amount in the Great Plains Project Trust at the
21 Norwest Bank of North Dakota, in such sums as are
22 earned as of October 1, 1999, shall be deposited in this
23 account and immediately transferred to the general fund
24 of the Treasury. Moneys received as revenue sharing from
25 operation of the Great Plains Gasification Plant and set-

1 tlement payments shall be immediately transferred to the
2 general fund of the Treasury.

3 NAVAL PETROLEUM AND OIL SHALE RESERVES

4 The requirements of 10 U.S.C. 7430(b)(2)(B) shall
5 not apply to fiscal year 2000: *Provided*, That, notwith-
6 standing any other provision of law, unobligated funds re-
7 maining from prior years shall be available for all naval
8 petroleum and oil shale reserve activities.

9 ELK HILLS SCHOOL LANDS FUND

10 For necessary expenses in fulfilling the second install-
11 ment payment under the Settlement Agreement entered
12 into by the United States and the State of California on
13 October 11, 1996, as authorized by section 3415 of Public
14 Law 104–106, \$36,000,000, to become available on Octo-
15 ber 1, 2000, for payment to the State of California for
16 the State Teachers' Retirement Fund from the Elk Hills
17 School Lands Fund.

18 ENERGY CONSERVATION

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses in carrying out energy con-
21 servation activities, \$745,242,000, to remain available
22 until expended, of which \$25,000,000 shall be derived by
23 transfer from unobligated balances in the Biomass Energy
24 Development account: *Provided*, That \$168,500,000 shall
25 be for use in energy conservation programs as defined in

1 section 3008(3) of Public Law 99–509 (15 U.S.C. 4507):
2 *Provided further*, That notwithstanding section 3003(d)(2)
3 of Public Law 99–509, such sums shall be allocated to
4 the eligible programs as follows: \$135,000,000 for weath-
5 erization assistance grants and \$33,500,000 for State en-
6 ergy conservation grants: *Provided further*, That, notwith-
7 standing any other provision of law, in fiscal year 2001
8 and thereafter sums appropriated for weatherization as-
9 sistance grants shall be contingent on a cost share of 25
10 percent by each participating State or other qualified par-
11 ticipant.

12 ECONOMIC REGULATION

13 For necessary expenses in carrying out the activities
14 of the Office of Hearings and Appeals, \$2,000,000, to re-
15 main available until expended.

16 STRATEGIC PETROLEUM RESERVE

17 For necessary expenses for Strategic Petroleum Re-
18 serve facility development and operations and program
19 management activities pursuant to the Energy Policy and
20 Conservation Act of 1975, as amended (42 U.S.C. 6201
21 et seq.), \$159,000,000, to remain available until expended:
22 *Provided*, That the Secretary of Energy hereafter may
23 transfer to the SPR Petroleum Account such funds as may
24 be necessary to carry out drawdown and sale operations
25 of the Strategic Petroleum Reserve initiated under section

1 161 of the Energy Policy and Conservation Act (42 U.S.C.
2 6241) from any funds available to the Department of En-
3 ergy under this or any other Act: *Provided further*, That
4 all funds transferred pursuant to this authority must be
5 replenished as promptly as possible from oil sale receipts
6 pursuant to the drawdown and sale.

7 ENERGY INFORMATION ADMINISTRATION

8 For necessary expenses in carrying out the activities
9 of the Energy Information Administration, \$72,644,000,
10 to remain available until expended.

11 ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

12 Appropriations under this Act for the current fiscal
13 year shall be available for hire of passenger motor vehicles;
14 hire, maintenance, and operation of aircraft; purchase, re-
15 pair, and cleaning of uniforms; and reimbursement to the
16 General Services Administration for security guard serv-
17 ices.

18 From appropriations under this Act, transfers of
19 sums may be made to other agencies of the Government
20 for the performance of work for which the appropriation
21 is made.

22 None of the funds made available to the Department
23 of Energy under this Act shall be used to implement or
24 finance authorized price support or loan guarantee pro-
25 grams unless specific provision is made for such programs
26 in an appropriations Act.

1 The Secretary is authorized to accept lands, build-
2 ings, equipment, and other contributions from public and
3 private sources and to prosecute projects in cooperation
4 with other agencies, Federal, State, private or foreign:
5 *Provided*, That revenues and other moneys received by or
6 for the account of the Department of Energy or otherwise
7 generated by sale of products in connection with projects
8 of the department appropriated under this Act may be re-
9 tained by the Secretary of Energy, to be available until
10 expended, and used only for plant construction, operation,
11 costs, and payments to cost-sharing entities as provided
12 in appropriate cost-sharing contracts or agreements: *Pro-*
13 *vided further*, That the remainder of revenues after the
14 making of such payments shall be covered into the Treas-
15 ury as miscellaneous receipts: *Provided further*, That any
16 contract, agreement, or provision thereof entered into by
17 the Secretary pursuant to this authority shall not be exe-
18 cuted prior to the expiration of 30 calendar days (not in-
19 cluding any day in which either House of Congress is not
20 in session because of adjournment of more than three cal-
21 endar days to a day certain) from the receipt by the
22 Speaker of the House of Representatives and the Presi-
23 dent of the Senate of a full comprehensive report on such
24 project, including the facts and circumstances relied upon
25 in support of the proposed project.

1 No funds provided in this Act may be expended by
2 the Department of Energy to prepare, issue, or process
3 procurement documents for programs or projects for
4 which appropriations have not been made.

5 In addition to other authorities set forth in this Act,
6 the Secretary may accept fees and contributions from pub-
7 lic and private sources, to be deposited in a contributed
8 funds account, and prosecute projects using such fees and
9 contributions in cooperation with other Federal, State or
10 private agencies or concerns.

11 The Secretary of Energy in cooperation with the Ad-
12 ministrator of General Services Administration shall con-
13 vey to the City of Bartlesville, Oklahoma, for no consider-
14 ation, the approximately 15.644 acres of land comprising
15 the former site of the National Institute of Petroleum En-
16 ergy Research (including all improvements on the land)
17 described as follows: All of Block 1, Keeler's Second Addi-
18 tion, all of Block 2, Keeler's Fourth Addition, all of Blocks
19 9 and 10, Mountain View Addition, all in the City of
20 Bartlesville, Washington County, Oklahoma.

1 TITLE III—GENERAL PROVISIONS

2 SEC. 301. The expenditure of any appropriation
3 under this Act for any consulting service through procure-
4 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
5 to those contracts where such expenditures are a matter
6 of public record and available for public inspection, except
7 where otherwise provided under existing law, or under ex-
8 isting Executive order issued pursuant to existing law.

9 SEC. 302. No part of any appropriation under this
10 Act shall be available to the Secretary of the Interior or
11 the Secretary of Agriculture for the leasing of oil and nat-
12 ural gas by noncompetitive bidding on publicly owned
13 lands within the boundaries of the Shawnee National For-
14 est, Illinois: *Provided*, That nothing herein is intended to
15 inhibit or otherwise affect the sale, lease, or right to access
16 to minerals owned by private individuals.

17 SEC. 303. No part of any appropriation contained in
18 this Act shall be available for any activity or the publica-
19 tion or distribution of literature that in any way tends to
20 promote public support or opposition to any legislative
21 proposal on which congressional action is not complete.

22 SEC. 304. No part of any appropriation contained in
23 this Act shall remain available for obligation beyond the
24 current fiscal year unless expressly so provided herein.

SEC. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 306. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless advance notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such committees.

SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the “Buy American Act”).

(b) SENSE OF THE CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in ex-

pending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—

In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—

If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a “Made in America” inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

(d) EFFECTIVE DATE.—The provisions of this section are applicable in fiscal year 2000 and thereafter.

SEC. 308. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (*Sequoiadendron giganteum*) which

1 are located on National Forest System or Bureau of Land
2 Management lands in a manner different than such sales
3 were conducted in fiscal year 1999.

4 SEC. 309. None of the funds made available by this
5 Act may be obligated or expended by the National Park
6 Service to enter into or implement a concession contract
7 which permits or requires the removal of the underground
8 lunchroom at the Carlsbad Caverns National Park.

9 SEC. 310. None of the funds appropriated or other-
10 wise made available by this Act may be used for the
11 AmeriCorps program, unless the relevant agencies of the
12 Department of the Interior and/or Agriculture follow ap-
13 propriate reprogramming guidelines: *Provided*, That if no
14 funds are provided for the AmeriCorps program by the
15 Departments of Veterans Affairs and Housing and Urban
16 Development, and Independent Agencies Appropriations
17 Act, 2000, then none of the funds appropriated or other-
18 wise made available by this Act may be used for the
19 AmeriCorps programs.

20 SEC. 311. None of the funds made available in this
21 Act may be used: (1) to demolish the bridge between Jer-
22 sey City, New Jersey, and Ellis Island; or (2) to prevent
23 pedestrian use of such bridge, when it is made known to
24 the Federal official having authority to obligate or expend

1 such funds that such pedestrian use is consistent with gen-
2 erally accepted safety standards.

3 SEC. 312. (a) LIMITATION OF FUNDS.—None of the
4 funds appropriated or otherwise made available pursuant
5 to this Act shall be obligated or expended to accept or
6 process applications for a patent for any mining or mill
7 site claim located under the general mining laws.

8 (b) EXCEPTIONS.—The provisions of subsection (a)
9 shall not apply if the Secretary of the Interior determines
10 that, for the claim concerned: (1) a patent application was
11 filed with the Secretary on or before September 30, 1994;
12 and (2) all requirements established under sections 2325
13 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30)
14 for vein or lode claims and sections 2329, 2330, 2331,
15 and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and
16 37) for placer claims, and section 2337 of the Revised
17 Statutes (30 U.S.C. 42) for mill site claims, as the case
18 may be, were fully complied with by the applicant by that
19 date.

20 (c) REPORT.—On September 30, 2000, the Secretary
21 of the Interior shall file with the House and Senate Com-
22 mittees on Appropriations and the Committee on Re-
23 sources of the House of Representatives and the Com-
24 mittee on Energy and Natural Resources of the Senate
25 a report on actions taken by the department under the

1 plan submitted pursuant to section 314(c) of the Depart-
2 ment of the Interior and Related Agencies Appropriations
3 Act, 1997 (Public Law 104–208).

4 (d) MINERAL EXAMINATIONS.—In order to process
5 patent applications in a timely and responsible manner,
6 upon the request of a patent applicant, the Secretary of
7 the Interior shall allow the applicant to fund a qualified
8 third-party contractor to be selected by the Bureau of
9 Land Management to conduct a mineral examination of
10 the mining claims or mill sites contained in a patent appli-
11 cation as set forth in subsection (b). The Bureau of Land
12 Management shall have the sole responsibility to choose
13 and pay the third-party contractor in accordance with the
14 standard procedures employed by the Bureau of Land
15 Management in the retention of third-party contractors.

16 SEC. 313. Notwithstanding any other provision of
17 law, amounts appropriated to or earmarked in committee
18 reports for the Bureau of Indian Affairs and the Indian
19 Health Service by Public Laws 103–138, 103–332, 104–
20 134, 104–208, 105–83, and 105–277 for payments to
21 tribes and tribal organizations for contract support costs
22 associated with self-determination or self-governance con-
23 tracts, grants, compacts, or annual funding agreements
24 with the Bureau of Indian Affairs or the Indian Health
25 Service as funded by such Acts, are the total amounts

1 available for fiscal years 1994 through 1999 for such pur-
2 poses, except that, for the Bureau of Indian Affairs, tribes
3 and tribal organizations may use their tribal priority allo-
4 cations for unmet indirect costs of ongoing contracts,
5 grants, self-governance compacts or annual funding agree-
6 ments.

7 SEC. 314. Notwithstanding any other provision of
8 law, for fiscal year 2000 the Secretaries of Agriculture and
9 the Interior are authorized to limit competition for water-
10 shed restoration project contracts as part of the “Jobs in
11 the Woods” component of the President’s Forest Plan for
12 the Pacific Northwest or the Jobs in the Woods Program
13 established in Region 10 of the Forest Service to individ-
14 uals and entities in historically timber-dependent areas in
15 the States of Washington, Oregon, northern California
16 and Alaska that have been affected by reduced timber har-
17 vesting on Federal lands.

18 SEC. 315. None of the funds collected under the Rec-
19 reational Fee Demonstration program may be used to
20 plan, design, or construct a visitor center or any other per-
21 manent structure without prior approval of the House and
22 the Senate Committees on Appropriations if the estimated
23 total cost of the facility exceeds \$500,000.

24 SEC. 316. All interests created under leases, conces-
25 sions, permits and other agreements associated with the

1 properties administered by the Presidio Trust shall be ex-
2 empt from all taxes and special assessments of every kind
3 by the State of California and its political subdivisions.

4 SEC. 317. None of the funds made available in this
5 or any other Act for any fiscal year may be used to des-
6 ignate, or to post any sign designating, any portion of Ca-
7 navaeral National Seashore in Brevard County, Florida, as
8 a clothing-optional area or as an area in which public nu-
9 dity is permitted, if such designation would be contrary
10 to county ordinance.

11 SEC. 318. Of the funds provided to the National En-
12 dowment for the Arts—

13 (1) The Chairperson shall only award a grant
14 to an individual if such grant is awarded to such in-
15 dividual for a literature fellowship, National Herit-
16 age Fellowship, or American Jazz Masters Fellow-
17 ship.

18 (2) The Chairperson shall establish procedures
19 to ensure that no funding provided through a grant,
20 except a grant made to a State or local arts agency,
21 or regional group, may be used to make a grant to
22 any other organization or individual to conduct ac-
23 tivity independent of the direct grant recipient.
24 Nothing in this subsection shall prohibit payments
25 made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs and/or projects.

SEC. 319. The National Endowment for the Arts and the National Endowment for the Humanities are authorized to solicit, accept, receive, and invest in the name of the United States, gifts, bequests, or devises of money and other property or services and to use such in furtherance of the functions of the National Endowment for the Arts and the National Endowment for the Humanities. Any proceeds from such gifts, bequests, or devises, after acceptance by the National Endowment for the Arts or the National Endowment for the Humanities, shall be paid by the donor or the representative of the donor to the Chairman. The Chairman shall enter the proceeds in a special interest-bearing account to the credit of the appropriate endowment for the purposes specified in each case.

SEC. 320. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for

1 projects, productions, workshops, or programs that serve
2 underserved populations.

3 (b) In this section:

4 (1) The term “underserved population” means
5 a population of individuals, including urban minori-
6 ties, who have historically been outside the purview
7 of arts and humanities programs due to factors such
8 as a high incidence of income below the poverty line
9 or to geographic isolation.

10 (2) The term “poverty line” means the poverty
11 line (as defined by the Office of Management and
12 Budget, and revised annually in accordance with sec-
13 tion 673(2) of the Community Services Block Grant
14 Act (42 U.S.C. 9902(2))) applicable to a family of
15 the size involved.

16 (c) In providing services and awarding financial as-
17 sistance under the National Foundation on the Arts and
18 Humanities Act of 1965 with funds appropriated by this
19 Act, the Chairperson of the National Endowment for the
20 Arts shall ensure that priority is given to providing serv-
21 ices or awarding financial assistance for projects, produc-
22 tions, workshops, or programs that will encourage public
23 knowledge, education, understanding, and appreciation of
24 the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

SEC. 321. No part of any appropriation contained in this Act shall be expended or obligated to fund new revisions of national forest land management plans until new final or interim final rules for forest land management planning are published in the Federal Register. Those national forests which are currently in a revision process, having formally published a Notice of Intent to revise

1 prior to October 1, 1997; those national forests having
2 been court-ordered to revise; those national forests where
3 plans reach the 15 year legally mandated date to revise
4 before or during calendar year 2001; national forests with-
5 in the Interior Columbia Basin Ecosystem study area; and
6 the White Mountain National Forest are exempt from this
7 section and may use funds in this Act and proceed to com-
8 plete the forest plan revision in accordance with current
9 forest planning regulations.

10 SEC. 322. No part of any appropriation contained in
11 this Act shall be expended or obligated to complete and
12 issue the 5-year program under the Forest and Rangeland
13 Renewable Resources Planning Act.

14 SEC. 323. None of the funds in this Act may be used
15 to support Government-wide administrative functions un-
16 less such functions are justified in the budget process and
17 funding is approved by the House and Senate Committees
18 on Appropriations.

19 SEC. 324. Notwithstanding any other provision of
20 law, none of the funds in this Act may be used for GSA
21 Telecommunication Centers or the President's Council on
22 Sustainable Development.

23 SEC. 325. None of the funds in this Act may be used
24 for planning, design or construction of improvements to
25 Pennsylvania Avenue in front of the White House without

1 the advance approval of the House and Senate Committees
2 on Appropriations.

3 SEC. 326. (a) SHORT TITLE.—This section may be
4 cited as the “National Park Service Studies Act of 1999”.

5 (b) AUTHORIZATION OF STUDIES.—

6 (1) IN GENERAL.—The Secretary of the Inte-
7 rior (“the Secretary”) shall conduct studies of the
8 geographical areas and historic and cultural themes
9 described in subsection (b)(3) to determine the ap-
10 propriateness of including such areas or themes in
11 the National Park System.

12 (2) CRITERIA.—In conducting the studies au-
13 thorized by this Act, the Secretary shall use the cri-
14 teria for the study of areas for potential inclusion in
15 the National Park System in accordance with section
16 8 of Public Law 91–383, as amended by section 303
17 of the National Parks Omnibus Management Act
18 (Public Law 105–391; 112 Stat. 3501).

19 (3) STUDY AREAS.—The Secretary shall con-
20 duct studies of the following:

21 (A) Anderson Cottage, Washington, Dis-
22 trict of Columbia.

23 (B) Bioluminescent Bay, Puerto Rico.

24 (C) Civil Rights Sites, multi-State.

(D) Crossroads of the American Revolution, Central New Jersey.

(E) Fort Hunter Liggett, California.

(F) Fort King, Florida.

(G) Gaviota Coast Seashore, California.

(H) Kate Mullany House, New York.

(I) Loess Hills, Iowa.

(J) Low Country Gullah Culture, multi-State.

(K) Nan Madol, State of Ponape, Federated States of Micronesia (upon the request of the Government of the Federated States of Micronesia).

(L) Walden Pond and Woods, Massachusetts.

(M) World War II Sites, Commonwealth of the Northern Marianas.

(N) World War II Sites, Republic of Palau (upon the request of the Government of the Republic of Palau).

(c) REPORTS.—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report on the findings, conclusions, and recommendations of each study under subsection (b) within

1 three fiscal years following the date on which funds are
2 first made available for each study.

3 SEC. 327. Amounts deposited during fiscal year 1999
4 in the roads and trails fund provided for in the fourteenth
5 paragraph under the heading “FOREST SERVICE” of
6 the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501),
7 shall be used by the Secretary of Agriculture, without re-
8 gard to the State in which the amounts were derived, to
9 repair or reconstruct roads, bridges, and trails on National
10 Forest System lands or to carry out and administer
11 projects to improve forest health conditions, which may
12 include the repair or reconstruction of roads, bridges, and
13 trails on National Forest System lands in the wildland-
14 community interface where there is an abnormally high
15 risk of fire. The projects shall emphasize reducing risks
16 to human safety and public health and property and en-
17 hancing ecological functions, long-term forest productivity,
18 and biological integrity. The Secretary shall commence the
19 projects during fiscal year 2000, but the projects may be
20 completed in a subsequent fiscal year. Funds shall not be
21 expended under this section to replace funds which would
22 otherwise appropriately be expended from the timber sal-
23 vage sale fund. Nothing in this section shall be construed
24 to exempt any project from any environmental law.

1 SEC. 328. None of the funds in this Act may be used
2 to establish a new National Wildlife Refuge in the Kan-
3 kakee River basin that is inconsistent with the United
4 States Army Corps of Engineers' efforts to control flood-
5 ing and siltation in that area. Written certification of con-
6 sistency shall be submitted to the House and Senate Com-
7 mittees on Appropriations prior to refuge establishment.

8 SEC. 329. None of the funds provided in this or pre-
9 vious appropriations Acts for the agencies funded by this
10 Act or provided from any accounts in the Treasury of the
11 United States derived by the collection of fees available
12 to the agencies funded by this Act, shall be transferred
13 to or used to fund personnel, training, or other adminis-
14 trative activities at the Council on Environmental Quality
15 or other offices in the Executive Office of the President
16 for purposes related to the American Heritage Rivers pro-
17 gram.

18 SEC. 330. Other than in emergency situations, none
19 of the funds in this Act may be used to operate telephone
20 answering machines during core business hours unless
21 such answering machines include an option that enables
22 callers to reach promptly an individual on-duty with the
23 agency being contacted.

24 SEC. 331. ENHANCING FOREST SERVICE ADMINIS-
25 TRATION OF RIGHTS-OF-WAY AND LAND USES. (a) The

1 Secretary of Agriculture shall develop and implement a
2 pilot program for the purpose of enhancing forest service
3 administration of rights-of-way and other land uses. The
4 authority for this program shall be for fiscal years 2000
5 through 2004. Prior to the expiration of the authority for
6 this pilot program, the Secretary shall submit a report to
7 the House and Senate Committees on Appropriations, and
8 the Committee on Energy and Natural Resources of the
9 Senate and the Committee on Resources of the House of
10 Representatives that evaluates whether the use of funds
11 under this section resulted in more expeditious approval
12 of rights-of-way and special use authorizations. This re-
13 port shall include the Secretary's recommendation for
14 statutory or regulatory changes to reduce the average
15 processing time for rights-of-way and special use permit
16 applications.

17 (b) DEPOSIT OF FEES.—Subject to subsections (a)
18 and (f), during fiscal years 2000 through 2004, the Sec-
19 retary of Agriculture shall deposit into a special account
20 established in the Treasury all fees collected by the Sec-
21 retary to recover the costs of processing applications for,
22 and monitoring compliance with, authorizations to use and
23 occupy National Forest System lands pursuant to section
24 28(l) of the Mineral Leasing Act (30 U.S.C. 185(l)), sec-
25 tion 504(g) of the Federal Land Policy and Management

1 Act of 1976 (43 U.S.C. 1764(g)), section 9701 of title
2 31, United States Code, and section 110(g) of the Na-
3 tional Historic Preservation Act (16 U.S.C. 470h-2(g)).

4 (c) USE OF RETAINED AMOUNTS.—Amounts depos-
5 ited pursuant to subsection (b) shall be available, without
6 further appropriation, for expenditure by the Secretary of
7 Agriculture to cover costs incurred by the Forest Service
8 for the processing of applications for special use authoriza-
9 tions and for monitoring activities undertaken in connec-
10 tion with such authorizations. Amounts in the special ac-
11 count shall remain available for such purposes until ex-
12 pended.

13 (d) REPORTING REQUIREMENT.—In the budget jus-
14 tification documents submitted by the Secretary of Agri-
15 culture in support of the President's budget for a fiscal
16 year under section 1105 of title 31, United States Code,
17 the Secretary shall include a description of the purposes
18 for which amounts were expended from the special account
19 during the preceding fiscal year, including the amounts
20 expended for each purpose, and a description of the pur-
21 poses for which amounts are proposed to be expended
22 from the special account during the next fiscal year, in-
23 cluding the amounts proposed to be expended for each
24 purpose.

(e) DEFINITION OF AUTHORIZATION.—For purposes of this section, the term “authorizations” means special use authorizations issued under subpart B of part 251 of title 36, Code of Federal Regulations.

(f) IMPLEMENTATION.—This section shall take effect upon promulgation of Forest Service regulations for the collection of fees for processing of special use authorizations and for related monitoring activities.

SEC. 332. HARDWOOD TECHNOLOGY TRANSFER AND APPLIED RESEARCH. (a) The Secretary of Agriculture (hereinafter the “Secretary”) is hereby and hereafter authorized to conduct technology transfer and development, training, dissemination of information and applied research in the management, processing and utilization of the hardwood forest resource. This authority is in addition to any other authorities which may be available to the Secretary including, but not limited to, the Cooperative Forestry Assistance Act of 1978, as amended (16 U.S.C. 2101 et seq.), and the Forest and Rangeland Renewable Resources Act of 1978, as amended (16 U.S.C. 1600–1614).

(b) In carrying out this authority, the Secretary may enter into grants, contracts, and cooperative agreements with public and private agencies, organizations, corporations, institutions and individuals. The Secretary may ac-

1 cept gifts and donations pursuant to the Act of October
2 10, 1978 (7 U.S.C. 2269) including gifts and donations
3 from a donor that conducts business with any agency of
4 the Department of Agriculture or is regulated by the Sec-
5 retary of Agriculture.

6 (c) The Secretary is hereby and hereafter authorized
7 to operate and utilize the assets of the Wood Education
8 and Resource Center (previously named the Robert C.
9 Byrd Hardwood Technology Center in West Virginia) as
10 part of a newly formed “Institute of Hardwood Tech-
11 nology Transfer and Applied Research” (hereinafter the
12 “Institute”). The Institute, in addition to the Wood Edu-
13 cation and Resource Center, will consist of a Director,
14 technology transfer specialists from State and Private
15 Forestry, the Forestry Sciences Laboratory in Princeton,
16 West Virginia, and any other organizational unit of the
17 Department of Agriculture as the Secretary deems appro-
18 priate. The overall management of the Institute will be
19 the responsibility of the Forest Service, State and Private
20 Forestry.

21 (d) The Secretary is hereby and hereafter authorized
22 to generate revenue using the authorities provided herein.
23 Any revenue received as part of the operation of the Insti-
24 tute shall be deposited into a special fund in the Treasury
25 of the United States, known as the “Hardwood Tech-

1 nology Transfer and Applied Research Fund”, which shall
2 be available to the Secretary until expended, without fur-
3 ther appropriation, in furtherance of the purposes of this
4 section, including upkeep, management, and operation of
5 the Institute and the payment of salaries and expenses.

6 (e) There are hereby and hereafter authorized to be
7 appropriated such sums as necessary to carry out the pro-
8 visions of this section.

9 SEC. 333. No timber sale in Region 10 shall be adver-
10 tised if the indicated rate is deficit when appraised under
11 the transaction evidence appraisal system using domestic
12 Alaska values for western red cedar: *Provided*, That sales
13 which are deficit when appraised under the transaction
14 evidence appraisal system using domestic Alaska values
15 for western red cedar may be advertised upon receipt of
16 a written request by a prospective, informed bidder, who
17 has the opportunity to review the Forest Service’s cruise
18 and harvest cost estimate for that timber. Program accom-
19 plishments shall be based on volume sold. Should Region
20 10 sell, in fiscal year 2000, the annual average portion
21 of the decadal allowable sale quantity called for in the cur-
22 rent Tongass Land Management Plan in sales which are
23 not deficit when appraised under the transaction evidence
24 appraisal system using domestic Alaska values for western
25 red cedar, all of the western red cedar timber from those

1 sales which is surplus to the needs of domestic processors
2 in Alaska, shall be made available to domestic processors
3 in the contiguous 48 United States at prevailing domestic
4 prices. Should Region 10 sell, in fiscal year 2000, less
5 than the annual average portion of the decadal allowable
6 sale quantity called for in the current Tongass Land Man-
7 agement Plan in sales which are not deficit when ap-
8 praised under the transaction evidence appraisal system
9 using domestic Alaska values for western red cedar, the
10 volume of western red cedar timber available to domestic
11 processors at prevailing domestic prices in the contiguous
12 48 United States shall be that volume: (i) which is surplus
13 to the needs of domestic processors in Alaska; and (ii) is
14 that percent of the surplus western red cedar volume de-
15 termined by calculating the ratio of the total timber vol-
16 ume which has been sold on the Tongass to the annual
17 average portion of the decadal allowable sale quantity
18 called for in the current Tongass Land Management Plan.
19 The percentage shall be calculated by Region 10 on a roll-
20 ing basis as each sale is sold (for purposes of this amend-
21 ment, a “rolling basis” shall mean that the determination
22 of how much western red cedar is eligible for sale to var-
23 ious markets shall be made at the time each sale is award-
24 ed). Western red cedar shall be deemed “surplus to the
25 needs of domestic processors in Alaska” when the timber

1 sale holder has presented to the Forest Service docu-
2 mentation of the inability to sell western red cedar logs
3 from a given sale to domestic Alaska processors at price
4 equal to or greater than the log selling value stated in
5 the contract. All additional western red cedar volume not
6 sold to Alaska or contiguous 48 United States domestic
7 processors may be exported to foreign markets at the elec-
8 tion of the timber sale holder. All Alaska yellow cedar may
9 be sold at prevailing export prices at the election of the
10 timber sale holder.

11 SEC. 334. Subsection 104(d) of Public Law 104–333
12 (110 Stat. 4102) is amended—

13 (1) in paragraph (3) by striking “after deter-
14 mining that the projects to be funded from the pro-
15 ceeds thereof are creditworthy and that a repayment
16 schedule is established and only” and inserting “in-
17 cluding a review of the creditworthiness of the loan
18 and establishment of a repayment schedule,” after
19 “and subject to such terms and conditions,”; and

20 (2) in paragraph (4) by inserting “paragraph
21 (3) of” before “this subsection”.

22 SEC. 335. The Secretary of Agriculture and the Sec-
23 retary of the Interior shall:

24 (1) prepare the report required of them by sec-
25 tion 323(a) of the Interior and Related Agencies Ap-

1 appropriations Act, 1998 (Public Law 105–83; 111
2 Stat. 1543, 1596–7) except that the report describ-
3 ing the estimated production of goods and services
4 for the first 5 years during the course of the deci-
5 sion may be completed for either each individual
6 unit of Federal lands or for each of the Resource
7 Advisory Council or Provincial Advisory Council
8 units that fall within the Basin area;

9 (2) distribute the report and make such report
10 available for public comment for a minimum of 120
11 days; and

12 (3) include detailed responses to the public
13 comment in any final environmental impact state-
14 ment associated with the Interior Columbia Basin
15 Ecosystem Management Project.

16 SEC. 336. None of the funds appropriated by this Act
17 shall be used to propose or issue rules, regulations, de-
18 crees, or orders for the purpose of implementation, or in
19 preparation for implementation, of the Kyoto Protocol
20 which was adopted on December 11, 1997, in Kyoto,
21 Japan at the Third Conference of the Parties to the
22 United Nations Framework Convention on Climate
23 Change, which has not been submitted to the Senate for
24 advice and consent to ratification pursuant to article II,
25 section 2, clause 2, of the United States Constitution, and

1 which has not entered into force pursuant to article 25
2 of the Protocol.

3 SEC. 337. (a) MILLSITES OPINION.—No funds shall
4 be expended by the Department of the Interior or the De-
5 partment of Agriculture, for fiscal years 2000 and 2001,
6 to limit the number or acreage of millsites based on the
7 ratio between the number or acreage of millsites and the
8 number or acreage of associated lode or placer claims with
9 respect to any patent application grandfathered pursuant
10 to section 113 of the Department of the Interior and Re-
11 lated Agencies, Appropriations Act, 1995; any operation
12 for which a plan of operations has been previously ap-
13 proved; or any operation for which a plan of operations
14 has been submitted to the Bureau of Land Management
15 or Forest Service prior to November 7, 1997.

16 (b) NO RATIFICATION.—Nothing in this Act or the
17 Emergency Supplemental Act of 1999 shall be construed
18 as an explicit or tacit adoption, ratification, endorsement,
19 approval, rejection or disapproval of the opinion dated No-
20 vember 7, 1997, by the solicitor of the Department of the
21 Interior concerning millsites.

22 SEC. 338. The Forest Service, in consultation with
23 the Department of Labor, shall review Forest Service
24 campground concessions policy to determine if modifica-
25 tions can be made to Forest Service contracts for camp-

1 grounds so that such concessions fall within the regulatory
2 exemption of 29 CFR 4.122(b). The Forest Service shall
3 offer in fiscal year 2000 such concession prospectuses
4 under the regulatory exemption, except that, any pro-
5 spectus that does not meet the requirements of the regu-
6 latory exemption shall be offered as a service contract in
7 accordance with the requirements of 41 U.S.C. 351–358.

8 SEC. 339. PILOT PROGRAM OF CHARGES AND FEES
9 FOR HARVEST OF FOREST BOTANICAL PRODUCTS. (a)
10 DEFINITION OF FOREST BOTANICAL PRODUCT.—For
11 purposes of this section, the term “forest botanical prod-
12 uct” means any naturally occurring mushrooms, fungi,
13 flowers, seeds, roots, bark, leaves, and other vegetation (or
14 portion thereof) that grow on National Forest System
15 lands. The term does not include trees, except as provided
16 in regulations issued under this section by the Secretary
17 of Agriculture.

18 (b) RECOVERY OF FAIR MARKET VALUE FOR PROD-
19 UCTS.—The Secretary of Agriculture shall develop and im-
20 plement a pilot program to charge and collect not less than
21 the fair market value for forest botanical products har-
22 vested on National Forest System lands. The Secretary
23 shall establish appraisal methods and bidding procedures
24 to ensure that the amounts collected for forest botanical
25 products are not less than fair market value.

1 (c) FEES.—

2 (1) IMPOSITION AND COLLECTION.—Under the
3 pilot program, the Secretary of Agriculture shall also
4 charge and collect fees from persons who harvest
5 forest botanical products on National Forest System
6 lands to recover all costs to the Department of Agri-
7 culture associated with the granting, modifying, or
8 monitoring the authorization for harvest of the for-
9 est botanical products, including the costs of any en-
10 vironmental or other analysis.

11 (2) SECURITY.—The Secretary may require a
12 person assessed a fee under this subsection to pro-
13 vide security to ensure that the Secretary receives
14 the fees imposed under this subsection from the per-
15 son.

16 (d) SUSTAINABLE HARVEST LEVELS FOR FOREST
17 BOTANICAL PRODUCTS.—The Secretary of Agriculture
18 shall conduct appropriate analyses to determine whether
19 and how the harvest of forest botanical products on Na-
20 tional Forest System lands can be conducted on a sustain-
21 able basis. The Secretary may not permit under the pilot
22 program the harvest of forest botanical products at levels
23 in excess of sustainable harvest levels, as defined pursuant
24 to the Multiple-Use Sustained-Yield Act of 1960 (16
25 U.S.C. 528 et seq.). The Secretary shall establish proce-

1 dures and timeframes to monitor and revise the harvest
2 levels established for forest botanical products.

3 (e) WAIVER AUTHORITY.—

4 (1) PERSONAL USE.—The Secretary of Agri-
5 culture shall establish a personal use harvest level
6 for each forest botanical product, and the harvest of
7 a forest botanical product below that level by a per-
8 son for personal use shall not be subject to charges
9 and fees under subsections (b) and (c).

10 (2) OTHER EXCEPTIONS.—The Secretary may
11 also waive the application of subsection (b) or (c)
12 pursuant to such regulations as the Secretary may
13 prescribe.

14 (f) DEPOSIT AND USE OF FUNDS.—

15 (1) DEPOSIT.—Funds collected under the pilot
16 program in accordance with subsections (b) and (c)
17 shall be deposited into a special account in the
18 Treasury of the United States.

19 (2) FUNDS AVAILABLE.—Funds deposited into
20 the special account in accordance with paragraph (1)
21 in excess of the amounts collected for forest botan-
22 ical products during fiscal year 1999 shall be avail-
23 able for expenditure by the Secretary of Agriculture
24 under paragraph (3) without further appropriation,

1 and shall remain available for expenditure until the
2 date specified in subsection (h)(2).

3 (3) AUTHORIZED USES.—The funds made avail-
4 able under paragraph (2) shall be expended at units
5 of the National Forest System in proportion to the
6 charges and fees collected at that unit under the
7 pilot program to pay for—

8 (A) in the case of funds collected under
9 subsection (b), the costs of conducting inven-
10 tories of forest botanical products, determining
11 sustainable levels of harvest, monitoring and as-
12 sessing the impacts of harvest levels and meth-
13 ods, and for restoration activities, including any
14 necessary vegetation; and

15 (B) in the case of fees collected under sub-
16 section (c), the costs described in paragraph (1)
17 of such subsection.

18 (4) TREATMENT OF FEES.—Funds collected
19 under subsections (b) and (c) shall not be taken into
20 account for the purposes of the following laws:

21 (A) The sixth paragraph under the head-
22 ing “FOREST SERVICE” in the Act of May 23,
23 1908 (16 U.S.C. 500) and section 13 of the Act
24 of March 1, 1911 (commonly known as the
25 Weeks Act; 16 U.S.C. 500).

(B) The fourteenth paragraph under the heading “FOREST SERVICE” in the Act of March 4, 1913 (16 U.S.C. 501).

(C) Section 33 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1012).

(D) The Act of August 8, 1937, and the Act of May 24, 1939 (43 U.S.C. 1181a et seq.).

(E) Section 6 of the Act of June 14, 1926 (commonly known as the Recreation and Public Purposes Act; 43 U.S.C. 869–4).

(F) Chapter 69 of title 31, United States Code.

(G) Section 401 of the Act of June 15, 1935 (16 U.S.C. 715s).

(H) Section 4 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–6a).

(I) Any other provision of law relating to revenue allocation.

(g) REPORTING REQUIREMENTS.—As soon as practicable after the end of each fiscal year in which the Secretary of Agriculture collects charges and fees under subsections (b) and (c) or expends funds from the special account under subsection (f), the Secretary shall submit to the Congress a report summarizing the activities of the

1 Secretary under the pilot program, including the funds
2 generated under subsections (b) and (c), the expenses in-
3 curred to carry out the pilot program, and the expendi-
4 tures made from the special account during that fiscal
5 year.

6 (h) DURATION OF PILOT PROGRAM.—

7 (1) CHARGES AND FEES.—The Secretary of Ag-
8 riculture may collect charges and fees under the au-
9 thority of subsections (b) and (c) only during fiscal
10 years 2000 through 2004.

11 (2) USE OF SPECIAL ACCOUNT.—The Secretary
12 may make expenditures from the special account
13 under subsection (f) until September 30 of the fiscal
14 year following the last fiscal year specified in para-
15 graph (1). After that date, amounts remaining in
16 the special account shall be transferred to the gen-
17 eral fund of the Treasury.

18 SEC. 340. Title III, section 3001 of Public Law 106–
19 31 is amended by inserting after “Alabama,” the fol-
20 lowing: “in fiscal year 1999 or 2000”.

21 SEC. 341. Section 347 of title III of section 101(e)
22 of division A of Public Law 105–277 is hereby amended—

23 (1) in subsection (a)—

(A) by inserting “, via agreement or contract as appropriate,” before “may enter into”; and

(B) by striking “(28) contracts with private persons and” and inserting “(28) stewardship contracting demonstration pilot projects with private persons or other public or private”; (2) in subsection (b), by striking “contract” and inserting “project”;

(3) in subsection (c)—

(A) in the heading, by inserting “Agreements or” before “Contracts”;

(B) in paragraph (1)—

(i) by striking “a contract” and inserting “an agreement or contract”; and

(ii) by striking “private contracts” and inserting “private agreements or contracts”;

(C) in paragraph (3), by inserting “agreement or” before “contracts”; and

(D) in paragraph (4), by inserting “agreement or” before “contracts”;

(4) in subsection (d)—

(A) in paragraph (1), by striking “a contract” and inserting “an agreement or contract”; and

(B) in paragraph (2), by striking “a contract” and inserting “an agreement or contract”; and

(5) in subsection (g)—

(A) in the first sentence by striking “contract” and inserting “pilot project”; and

(B) in the last sentence—

(i) by inserting “agreements or” before “contracts”; and

(ii) by inserting “agreements or” before “contract”.

SEC. 342. Notwithstanding section 343 of Public Law 105–83, increases in recreation residence fees shall be implemented in fiscal year 2000 only to the extent that the fiscal year 2000 fees do not exceed the fiscal year 1999 fee by more than \$2,000.

SEC. 343. REDESIGNATION OF BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR IN HONOR OF JOHN H. CHAFEE. (a) CORRIDOR.—

(1) IN GENERAL.—The Blackstone River Valley National Heritage Corridor established by section 1 of Public Law 99–647 (16 U.S.C. 461 note) is re-

1 designated as the “John H. Chafee Blackstone River
2 Valley National Heritage Corridor”.

3 (2) REFERENCES.—Any reference in a law,
4 map, regulation, document, paper, or other record of
5 the United States to the Blackstone River Valley
6 National Heritage Corridor shall be deemed to be a
7 reference to the John H. Chafee Blackstone River
8 Valley National Heritage Corridor.

9 (b) COMMISSION.—

10 (1) IN GENERAL.—The Blackstone River Valley
11 National Heritage Corridor Commission established
12 by section 3 of Public Law 99–647 (16 U.S.C. 461
13 note) is redesignated as the “John H. Chafee Black-
14 stone River Valley National Heritage Corridor Com-
15 mission”.

16 (2) REFERENCES.—Any reference in a law,
17 map, regulation, document, paper, or other record of
18 the United States to the Blackstone River Valley
19 National Heritage Corridor Commission shall be
20 deemed to be a reference to the John H. Chafee
21 Blackstone River Valley National Heritage Corridor
22 Commission.

23 (c) CONFORMING AMENDMENTS.—

24 (1) Section 1 of Public Law 99–647 (16 U.S.C.
25 461 note) is amended in the first sentence by strik-

ing “Blackstone River Valley National Heritage Corridor” and inserting “John H. Chafee Blackstone River Valley National Heritage Corridor”.

(2) Section 3 of Public Law 99–647 (16 U.S.C. 461 note) is amended—

(A) in the section heading, by striking “BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR COMMISSION” and inserting “JOHN H. CHAFEE BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR COMMISSION”; and

(B) in subsection (a), by striking “Blackstone River Valley National Heritage Corridor Commission” and inserting “John H. Chafee Blackstone River Valley National Heritage Corridor Commission”.

SEC. 344. A project undertaken by the Forest Service under the Recreation Fee Demonstration Program as authorized by section 315 of the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1996, as amended, shall not result in—

(1) displacement of the holder of an authorization to provide commercial recreation services on Federal lands. Prior to initiating any project, the Secretary shall consult with potentially affected

holders to determine what impacts the project may have on the holders. Any modifications to the authorization shall be made within the terms and conditions of the authorization and authorities of the impacted agency.

(2) the return of a commercial recreation service to the Secretary for operation when such services have been provided in the past by a private sector provider, except when—

(A) the private sector provider fails to bid on such opportunities;

(B) the private sector provider terminates its relationship with the agency; or

(C) the agency revokes the permit for non-compliance with the terms and conditions of the authorization.

In such cases, the agency may use the Recreation Fee Demonstration Program to provide for operations until a subsequent operator can be found through the offering of a new prospectus.

SEC. 345. NATIONAL FOREST-DEPENDENT RURAL COMMUNITIES ECONOMIC DIVERSIFICATION. (a) FINDINGS AND PURPOSES.—Section 2373 of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6611) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking “national forests” and inserting “National Forest System land”;

(B) in paragraph (4), by striking “the national forests” and inserting “National Forest System land”;

(C) in paragraph (5), by striking “forest resources” and inserting “natural resources”;
and

(D) in paragraph (6), by striking “national forest resources” and inserting “National Forest System land resources”; and

(2) in subsection (b)(1)—

(A) by striking “national forests” and inserting “National Forest System land”; and

(B) by striking “forest resources” and inserting “natural resources”.

(b) DEFINITIONS.—Section 2374(1) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6612(1)) is amended by striking “forestry” and inserting “natural resources”.

(c) RURAL FORESTRY AND ECONOMIC DIVERSIFICATION ACTION TEAMS.—Section 2375(b) of the National

1 Forest-Dependent Rural Communities Economic Diver-
2 sification Act of 1990 (7 U.S.C. 6613(b)) is amended—

3 (1) in the first sentence, by striking “forestry”
4 and inserting “natural resources”; and

5 (2) in the second and third sentences, by strik-
6 ing “national forest resources” and inserting “Na-
7 tional Forest System land resources”.

8 (d) ACTION PLAN IMPLEMENTATION.—Section
9 2376(a) of the National Forest-Dependent Rural Commu-
10 nities Economic Diversification Act of 1990 (7 U.S.C.
11 6614(a)) is amended—

12 (1) by striking “forest resources” and inserting
13 “natural resources”; and

14 (2) by striking “national forest resources” and
15 inserting “National Forest System land resources”.

16 (e) TRAINING AND EDUCATION.—Paragraphs (3)
17 and (4) of section 2377(a) of the National Forest-Depend-
18 ent Rural Communities Economic Diversification Act of
19 1990 (7 U.S.C. 6615(a)) are amended by striking “na-
20 tional forest resources” and inserting “National Forest
21 System land resources”.

22 (f) LOANS TO ECONOMICALLY DISADVANTAGED
23 RURAL COMMUNITIES.—Paragraphs (2) and (3) of sec-
24 tion 2378(a) of the National Forest-Dependent Rural
25 Communities Economic Diversification Act of 1990 (7

1 U.S.C. 6616(a)) are amended by striking “national forest
2 resources” and inserting “National Forest System land re-
3 sources”.

4 SEC. 346. INTERSTATE 90 LAND EXCHANGE
5 AMENDMENT. (a) This section shall be referred to as the
6 “Interstate 90 Land Exchange Amendment”.

7 (b) Section 604(a) of the Interstate 90 Land Ex-
8 change Act of 1998, Public Law 105–277; 112 Stat.
9 2681–328 (1998), is hereby amended by adding at the end
10 of the first sentence: “except title to offered lands and in-
11 terests in lands described as follows: Township 21 North,
12 Range 12 East, Section 15, W.M., Township 21 North,
13 Range 12 East, Section 23, W.M., Township 21 North,
14 Range 12 East, Section 25, W.M., Township 19 North,
15 Range 13 East, Section 7, W.M., Township 19 North,
16 Range 15 East, Section 31, W.M., Township 19 North,
17 Range 14 East, Section 25, W.M., Township 22 North,
18 Range 11 East, Section 3, W.M., and Township 22 North,
19 Range 11 East, Section 19, W.M. must be placed in es-
20 crow by Plum Creek, according to terms and conditions
21 acceptable to the Secretary and Plum Creek, for a 3-year
22 period beginning on the later of the date of the enactment
23 of this Act or consummation of the exchange. During the
24 period the lands are held in escrow, Plum Creek shall not
25 undertake any activities on these lands, except for fire

1 suppression and road maintenance, without the approval
2 of the Secretary, which shall not be unreasonably with-
3 held”.

4 (c) Section 604(a) is further amended by inserting
5 in section (2) after the words “dated October 1998” the
6 following: “except the following parcels: Township 19
7 North, Range 15 East, Section 29, W.M., Township 18
8 North, Range 15 East, Section 3, W.M., Township 19
9 North, Range 14 East, Section 9, W.M., Township 21
10 North, Range 14 East, Section 7, W.M., Township 22
11 North, Range 12 East, Section 35, W.M., Township 22
12 North, Range 13 East, Section 3, W.M., Township 22
13 North, Range 13 East, Section 9, W.M., Township 22
14 North, Range 13 East, Section 11, W.M., Township 22
15 North, Range 13 East, Section 13, W.M., Township 22
16 North, Range 13 East, Section 15, W.M., Township 22
17 North, Range 13 East, Section 25, W.M., Township 22
18 North, Range 13 East, Section 33, W.M., Township 22
19 North, Range 13 East, Section 35, W.M., Township 22
20 North, Range 14 East, Section 7, W.M., Township 22
21 North, Range 14 East, Section 9, W.M., Township 22
22 North, Range 14 East, Section 11, W.M., Township 22
23 North, Range 14 East, Section 15, W.M., Township 22
24 North, Range 14 East, Section 17, W.M., Township 22
25 North, Range 14 East, Section 21, W.M., Township 22

1 North, Range 14 East, Section 31, W.M., Township 22
2 North, Range 14 East, Section 27, W.M. The appraisal
3 approved by the Secretary of Agriculture on June 14,
4 1999 (the “Appraisal”) shall be adjusted by subtracting
5 the values for the parcels described in the preceding sen-
6 tence determined during the Appraisal process in the con-
7 text of the whole estate to be conveyed”.

8 (d) Section 604(b) of the Interstate 90 Land Ex-
9 change Act of 1998, Public Law 105–277; 112 Stat.
10 2681–328 (1998), is hereby amended by inserting after
11 the words “offered land” the following: “, as provided in
12 section 604(a), and placement in escrow of acceptable title
13 to Township 22 North, Range 11 East, Section 3, W.M.,
14 Township 22 North, Range 11 East, Section 19, W.M.,
15 Township 21 North, Range 12 East, Section 15, W.M.,
16 Township 21 North, Range 12 East, Section 23, W.M.,
17 Township 21 North, Range 12 East, Section 25, W.M.,
18 Township 19 North, Range 13 East, Section 7, W.M.,
19 Township 19 North, Range 15 East, Section 31, W.M.,
20 and Township 19 North, Range 14 East, Section 25,
21 W.M.”.

22 (e) Section 604(b) is further amended by inserting
23 the following before the colon: “except Township 19
24 North, Range 10 East, W.M., Section 4, Township 20
25 North, Range 10 East, W.M., Section 32, and Township

1 21 North, Range 14 East, W.M., $W^{1/2}W^{1/2}$ of Section 16,
 2 Township 12 North, Range 7 East, Sections 4 and 5,
 3 W.M., Township 13 North, Range 7 East, Sections 32 and
 4 33, W.M., Township 8 North, Range 4 East, Section 17
 5 and the $S^{1/2}$ of 16, W.M., which shall be retained by the
 6 United States''. The Appraisal shall be adjusted by sub-
 7 tracting the values determined for Township 19 North,
 8 Range 10 East, W.M., Section 4, Township 20 North,
 9 Range 10 East, W.M., Section 32, Township 12 North,
 10 Range 7 East, Sections 4 and 5, W.M., Township 13
 11 North, Range 7 East, Sections 32 and 33, W.M., Town-
 12 ship 8 North, Range 4 East, Section 17 and the $S^{1/2}$ of
 13 Section 16, W.M. during the Appraisal process in the con-
 14 text of the whole estate to be conveyed.

15 (f) After adjustment of the Appraisal, the values of
 16 the offered and selected lands, including the offered lands
 17 held in escrow, shall be equalized as follows:

18 (1) the appraised value of the offered lands, as
 19 such lands and appraised value have been adjusted
 20 hereby, minus the appraised value of the offered
 21 lands to be placed into escrow, shall be compared to
 22 the appraised value of the selected lands, as such
 23 lands and appraised value have been adjusted here-
 24 by, and the Secretary shall equalize such values by
 25 the payment of cash to Plum Creek at the time that

1 deeds are exchanged, such cash to come from cur-
2 rently appropriated funds, or, if necessary, by re-
3 programming; and

4 (2) the Secretary shall compensate Plum Creek
5 for the lands placed into escrow, based upon the val-
6 ues determined for each such parcel during the Ap-
7 praisal process in the context of the whole estate to
8 be conveyed, through the following, including any
9 combination thereof:

10 (A) conveyance of any other lands under
11 the jurisdiction of the Secretary acceptable to
12 Plum Creek and the Secretary after compliance
13 with all applicable Federal environmental and
14 other laws; and

15 (B) to the extent sufficient acceptable
16 lands are not available pursuant to paragraph
17 (A) of this subsection, cash payments as and to
18 the extent funds become available through ap-
19 propriations, private sources, or, if necessary,
20 by reprogramming.

21 The Secretary shall promptly seek to identify lands accept-
22 able to equalize values under paragraph (A) of this sub-
23 section and shall, not later than July 1, 2000, provide a
24 report to the Congress outlining the results of such efforts.

1 (g) As funds or lands are provided to Plum Creek
2 by the Secretary, Plum Creek shall release to the United
3 States deeds for lands and interests in lands held in es-
4 crow based on the values determined during the Appraisal
5 process in the context of the whole estate to be conveyed.
6 Deeds shall be released for lands and interests in lands
7 in the following order: Township 21 North, Range 12
8 East, Section 15, W.M., Township 21 North, Range 12
9 East, Section 23, W.M., Township 21 North, Range 12
10 East, Section 25, W.M., Township 19 North, Range 13
11 East, Section 7, Township 19 North, Range 15 East, Sec-
12 tion 31, Township 19 North, Range 14 East, Section 25,
13 Township 22 North, Range 11 East, Section 3, W.M., and
14 Township 22 North, Range 11 East, Section 19, W.M.

15 (h) Section 606(d) is hereby amended to read as fol-
16 lows: “TIMING.—The Secretary and Plum Creek shall
17 make the adjustments directed in section 604(a) and (b)
18 and consummate the land exchange within 30 days of the
19 enactment of the Interstate 90 Land Exchange Amend-
20 ment, unless the Secretary and Plum Creek mutually
21 agree to extend the consummation date.”.

22 (i) The deadline for the Report to Congress required
23 by section 609(c) of the Interstate 90 Land Exchange Act
24 of 1998 is hereby extended. Such Report is due to the

1 Congress 18 months from the date of the enactment of
2 this Interstate 90 Land Exchange Amendment.

3 (j) Section 610 of the Interstate 90 Land Exchange
4 Act of 1998, is hereby amended by striking “date of enact-
5 ment of this Act” and inserting “first date on which deeds
6 are exchanged to consummate the land exchange”.

7 SEC. 347. THE SNOQUALMIE NATIONAL FOREST
8 BOUNDARY ADJUSTMENT ACT OF 1999. (a) IN GEN-
9 ERAL.—The boundary of the Snoqualmie National Forest
10 is hereby adjusted as generally depicted on a map entitled
11 “Snoqualmie National Forest 1999 Boundary Adjust-
12 ment” dated June 30, 1999. Such map, together with a
13 legal description of all lands included in the boundary ad-
14 justment, shall be on file and available for public inspec-
15 tion in the Office of the Chief of the Forest Service in
16 Washington, District of Columbia. Nothing in this sub-
17 section shall limit the authority of the Secretary of Agri-
18 culture to adjust the boundary pursuant to section 11 of
19 the Weeks Law of March 1, 1911.

20 (b) RULE FOR LAND AND WATER CONSERVATION
21 FUND.—For the purposes of section 7 of the Land and
22 Water Conservation Fund Act of 1965 (16 U.S.C. 460l–
23 9), the boundary of the Snoqualmie National Forest, as
24 adjusted by subsection (a), shall be considered to be the
25 boundary of the Forest as of January 1, 1965.

SEC. 348. Section 1770(d) of the Food Security Act of 1985 (7 U.S.C. 2276(d)) is amended by redesignating paragraph (10) as paragraph (11) and by inserting after paragraph (9) the following new paragraph:

“(10) section 3(e) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1642(e));”.

SEC. 349. None of the funds appropriated or otherwise made available by this Act may be used to implement or enforce any provision in Presidential Executive Order No. 13123 regarding the Federal Energy Management Program which circumvents or contradicts any statutes relevant to Federal energy use and the measurement thereof.

SEC. 350. INVESTMENT OF EXXON VALDEZ OIL SPILL COURT RECOVERY IN HIGH YIELD INVESTMENTS AND IN MARINE RESEARCH. (1) Notwithstanding any other provision of law and subject to the provisions of paragraphs (5) and (7), upon the joint motion of the United States and the State of Alaska and the issuance of an appropriate order by the United States District Court for the District of Alaska, the joint trust funds, or any portion thereof, including any interest accrued thereon, previously received or to be received by the United States and the State of Alaska pursuant to the Agreement

1 and Consent Decree issued in United States v. Exxon Cor-
2 poration, et al. (No. A91-082 CIV) and State of Alaska
3 v. Exxon Corporation, et al. (No. A91-083 CIV) (here-
4 after referred to as the “Consent Decree”), may be depos-
5 ited in—

- 6 (A) the Natural Resource Damage Assessment
7 and Restoration Fund (hereafter referred to as the
8 “Fund”) established in title I of the Department of
9 the Interior and Related Agencies Appropriations
10 Act, 1992 (Public Law 102-154; 43 U.S.C. 1474b);
11 (B) accounts outside the United States Treas-
12 ury (hereafter referred to as “outside accounts”); or
13 (C) both.

14 Any funds deposited in an outside account may be invested
15 only in income-producing obligations and other instru-
16 ments or securities that have been determined unani-
17 mously by the Federal and State natural resource trustees
18 for the Exxon Valdez oil spill (“trustees”) to have a high
19 degree of reliability and security.

20 (2) Joint trust funds deposited in the Fund or an
21 outside account that have been approved unanimously by
22 the Trustees for expenditure by or through a State or Fed-
23 eral agency shall be transferred promptly from the Fund
24 or the outside account to the State of Alaska or United
25 States upon the joint request of the governments.

1 (3) The transfer of joint trust funds outside the
2 Court Registry shall not affect the supervisory jurisdiction
3 of the district court under the Consent Decree or the
4 Memorandum of Agreement and Consent Decree in
5 United States v. State of Alaska (No. A91-081-CIV) over
6 all expenditures of the joint trust funds.

7 (4) Nothing herein shall affect the requirement of
8 section 207 of the dire emergency supplemental appropria-
9 tions and transfers for relief from the effects of natural
10 disasters, for other urgent needs, and for the incremental
11 cost of “Operation Desert Shield/Desert Storm” Act of
12 1992 (Public Law 102-229; 42 U.S.C. 1474b note) that
13 amounts received by the United States and designated by
14 the trustees for the expenditure by or through a Federal
15 agency must be deposited into the Fund.

16 (5) All remaining settlement funds are eligible for the
17 investment authority granted under this section so long
18 as they are managed and allocated consistent with the
19 Resolution of the Trustees adopted March 1, 1999, con-
20 cerning the Restoration Reserve, as follows:

21 (A) \$55 million of the funds remaining on Oc-
22 tober 1, 2002, and the associated earnings there-
23 after shall be managed and allocated for habitat pro-
24 tection programs including small parcel habitat ac-
25 quisitions. Such sums shall be reduced by—

1 (i) the amount of any payments made after
2 the date of enactment of this Act from the
3 Joint Trust Funds pursuant to an agreement
4 between the Trustee Council and Koniag, Inc.,
5 which includes those lands which are presently
6 subject to the Koniag Non-Development Ease-
7 ment, including, but not limited to, the continu-
8 ation or modification of such Easement; and

9 (ii) payments in excess of \$6.32 million for
10 any habitat acquisition or protection from the
11 joint trust funds after the date of enactment of
12 this Act and prior to October 1, 2002, other
13 than payments for which the Council is cur-
14 rently obligated through purchase agreements
15 with the Kodiak Island Borough, Afognak Joint
16 Venture and the Eyak Corporation.

17 (B) All other funds remaining on October 1,
18 2002, and the associated earnings shall be used to
19 fund a program, consisting of—

20 (i) marine research, including applied fish-
21 eries research;

22 (ii) monitoring; and

23 (iii) restoration, other than habitat acquisi-
24 tion, which may include community and eco-
25 nomic restoration projects and facilities (includ-

ing projects proposed by the communities of the EVOS Region or the fishing industry), consistent with the Consent Decree.

(6) The Federal trustees and the State trustees, to the extent authorized by State law, are authorized to issue grants as needed to implement this program.

(7) The authority provided in this section shall expire on September 30, 2002, unless by September 30, 2001, the Trustees have submitted to the Congress a report recommending a structure the Trustees believe would be most effective and appropriate for the administration and expenditure of remaining funds and interest received. Upon the expiration of the authorities granted in this section all monies in the Fund or outside accounts shall be returned to the Court Registry or other account permitted by law.

SEC. 351. YOUTH CONSERVATION CORPS AND RELATED PARTNERSHIPS. (a) Notwithstanding any other provision of this Act, there shall be available for high priority projects which shall be carried out by the Youth Conservation Corps as authorized by Public Law 91-378, or related partnerships with non-Federal youth conservation corps or entities such as the Student Conservation Association, up to \$1,000,000 of the funds available to the Bureau of Land Management under this Act, in order to in-

1 crease the number of summer jobs available for youths,
2 ages 15 through 22, on Federal lands.

3 (b) Within 6 months after the date of the enactment
4 of this Act, the Secretary of Agriculture and the Secretary
5 of the Interior shall jointly submit a report to the House
6 and Senate Committees on Appropriations and the Com-
7 mittee on Energy and Natural Resources of the Senate
8 and the Committee on Resources of the House of Rep-
9 resentatives that includes the following—

10 (1) the number of youths, ages 15 through 22,
11 employed during the summer of 1999, and the num-
12 ber estimated to be employed during the summer of
13 2000, through the Youth Conservation Corps, the
14 Public Land Corps, or a related partnership with a
15 State, local or nonprofit youth conservation corps or
16 other entities such as the Student Conservation As-
17 sociation;

18 (2) a description of the different types of work
19 accomplished by youths during the summer of 1999;

20 (3) identification of any problems that prevent
21 or limit the use of the Youth Conservation Corps,
22 the Public Land Corps, or related partnerships to
23 accomplish projects described in subsection (a);

(4) recommendations to improve the use and effectiveness of partnerships described in subsection (a); and

(5) an analysis of the maintenance backlog that identifies the types of projects that the Youth Conservation Corps, the Public Land Corps, or related partnerships are qualified to complete.

SEC. 352. (a) NORTH PACIFIC RESEARCH BOARD.—

Section 401 of Public Law 105–83 is amended as follows:

(1) In subsection (c)—

(A) by striking “available for appropriation, to the extent provided in the subsequent appropriations Acts,” and inserting “made available”;

(B) by inserting “To the extent provided in the subsequent appropriations Acts,” at the beginning of paragraph (1);

(C) by inserting “without further appropriation” after “20 percent of such amounts shall be made available”; and

(2) by striking subsection (f).

SEC. 353. None of the funds in this Act may be used by the Secretary of the Interior to issue a prospecting permit for hardrock mineral exploration on Mark Twain National Forest land in the Current River/Jack’s Fork

1 River—Eleven Point Watershed (not including Mark
2 Twain National Forest land in Townships 31N and 32N,
3 Range 2 and Range 3 West, on which mining activities
4 are taking place as of the date of the enactment of this
5 Act): *Provided*, That none of the funds in this Act may
6 be used by the Secretary of the Interior to segregate or
7 withdraw land in the Mark Twain National Forest, Mis-
8 souri under section 204 of the Federal Land Policy and
9 Management Act of 1976 (43 U.S.C. 1714).

10 SEC. 354. Public Law 105–83, the Department of the
11 Interior and Related Agencies Appropriations Act of No-
12 vember 17, 1997, title III, section 331 is hereby amended
13 by adding before the period: “: *Provided further*, That to
14 carryout the provisions of this section, the Bureau of Land
15 Management and the Forest Service may establish Trans-
16 fer Appropriation Accounts (also known as allocation ac-
17 counts) as needed”.

18 SEC. 355. WHITE RIVER NATIONAL FOREST.—The
19 Forest Service shall extend the public comment period on
20 the White River National Forest plan revision for 90 days
21 beyond February 9, 2000.

22 SEC. 356. The first section of Public Law 99–215
23 (99 Stat. 1724), as amended by section 597 of the Water
24 Resources Development Act of 1999 (Public Law 106–
25 53), is further amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following new subsections:

“(c) The National Capital Planning Commission shall vacate and terminate an Easement and Declaration of Covenants, dated February 2, 1989, conveyed by the owner of the adjacent real property pursuant to subsection (b)(1)(D) in exchange for, and not later than 30 days after, the vacation and termination of the Deed of Easement, dated January 4, 1989, conveyed by the Maryland National Capital Park and Planning Commission pursuant to subsection (b)(1).

“(d) Effective on the date of the enactment of this subsection, the memorandum of May 7, 1985, and any amendments thereto, shall terminate.”.

SEC. 357. None of the funds in this Act or any other Act shall be used by the Secretary of the Interior to promulgate final rules to revise 43 CFR subpart 3809, except that the Secretary, following the public comment period required by section 3002 of Public Law 106–31, may issue final rules to amend 43 C.F.R. Subpart 3809 which are not inconsistent with the recommendations contained in the National Research Council report entitled “Hardrock Mining on Federal Lands” so long as these regulations

1 are also not inconsistent with existing statutory authori-
 2 ties. Nothing in this section shall be construed to expand
 3 the existing statutory authority of the Secretary.

4 TITLE IV—MISSISSIPPI NATIONAL FOREST
 5 IMPROVEMENT ACT OF 1999

6 **SEC. 401. SHORT TITLE.**

7 This title may be cited as the “Mississippi National
 8 Forest Improvement Act of 1999”.

9 **SEC. 402. DEFINITIONS.**

10 In this title:

11 (1) AGREEMENT.—The term “Agreement”
 12 means the Agreement described in section 405(a).

13 (2) SECRETARY.—The term “Secretary” means
 14 the Secretary of Agriculture.

15 (3) STATE.—The term “State” means the State
 16 of Mississippi.

17 (4) UNIVERSITY.—The term “University”
 18 means the University of Mississippi.

19 (5) UNIVERSITY LAND.—The term “University
 20 land” means land described in section 404(a).

21 **SEC. 403. CONVEYANCE OF ADMINISTRATIVE SITES AND**
 22 **SMALL PARCELS.**

23 (a) IN GENERAL.—The Secretary may, under such
 24 terms and conditions as the Secretary may prescribe, sell
 25 or exchange any or all right, title, and interest of the

1 California desert, the Grand Staircase-Escalante National
2 Monument, and the Rhode Island National Wildlife Ref-
3 uge Complex shall be available until the House Committee
4 on Appropriations and the Senate Committee on Appro-
5 priations approve, in writing, a list of projects to be under-
6 taken with such funds.

7 This Act may be cited as the “Department of the In-
8 terior and Related Agencies Appropriations Act, 2000”.

